

REMARKS

Applicants respectfully request further examination and consideration in view of the claims above and the arguments set forth fully below. Within the Office Action, Claims 1-17 and 23-40 have been rejected. By the above amendments, Claims 1, 23, 27 and 32 have been amended. Accordingly, Claims 1-17 and 23-40 are currently pending.

Amendments to the Claims

Support for the new claim limitations of Claims 1, 23, 27 and 32 are found at least one pages 8-9 of the present specification and in Figure 1B. No new matter has been added by these amendments to the claims.

Rejections Under 35 U.S.C. § 103

For a §103 obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combine references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. [MPEP 2143]

U.S. Publication No. 2003/0064757 to Yamadera et al. (hereinafter “Yamadera”)

Yamadera teaches a method of displaying information on a screen. Particularly, Yamadera teaches that a first home position icon and a plurality of second home position icons, which are first hierarchical level icons, are displayed on a menu item selection screen. When one of the second home position icons is selected, second hierarchical level submenus, as well as the first home position icon and the second home positions, are displayed on the menu item selection screen in a direction perpendicular to a direction in which the selected second home position icon is located with respect to the first home position icon. When one of the displayed submenus is selected, a third hierarchical level menu is displayed on a submenu screen. [Yamadera, Abstract] For example, as illustrated in Figures 5B-5D, when main menu item 24 is selected, sub menu items 24a, 24b and 24c are presented in the second home position of main menu item 24. Main menu item 24 is no longer displayed along with the other main menu items. As such, during the menu selection mode, not all of the main menu items remain visible, regardless of which main

menu item is selected. Accordingly, Yamadera does not teach that *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to select and perform an action corresponding to one of the plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points*. Further, it is recognized within the Office Action that Yamadera does not teach a two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key, it therefore follows that Yamadera does not teach that *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key*.

U.S. Patent No. 7,188,320 to Landers (hereinafter “Landers”)

Landers teaches a mobile station that includes a display, data storage, and a processor. A menu display routine stored in the data storage can be executed by the processor to display a set of menus ranging from a first menu to a last menu. Menus include menu items ranging from first to last items. The mobile station also includes a “point of focus” routine and a navigation routine stored in the data storage. When the point of focus is on a particular menu other than the last menu, user invocation of the navigation routine causes the point of focus is moved to a menu other than the particular menu. When the point of focus is on the last menu, user invocation of the navigation routine causes the point of focus is moved to a menu item within the last menu. [Landers, Abstract] Accordingly, Landers does not teach that *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to select and perform an action corresponding to one of the plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points*. Further, it is recognized within the Office Action that Landers does not teach a two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item

and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key, it therefore follows that Landers does not teach that *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key.*

U.S. Publication No. 2001/0003097 to Jeoung (hereinafter “Jeoung”)

Within the Response to Arguments section of the Office Action, it is stated that the limitation “wherein the two-dimensional navigation key is configured to allow viewing of sub-menu items of a sub-menu associated with another main menu item directly from the sub-menu associated with the selected main menu item by a single access of the two-dimensional navigation key” is interpreted as follows:

From the main menu, associated sub-menu item may be selected and inherently be viewed. And, from the submenu items, the user can return to the main menu to view and select another sub-menu item associated with another main menu item.
[Office Action, page 3]

Applicants respectfully submit that the Examiner’s interpretation is incorrect. According to the Examiner’s interpretation, if the user returns to the main menu after viewing submenu items associated with a first main menu item, to select a second main menu item for viewing of its submenu items, then the user is performing an intermediary step of returning to the main menu between the viewing of the submenu items of the first menu item and the submenu items of the second menu item. The user, in this fashion, cannot view the submenu items associated with the second main menu item directly from the sub-menu associated with the first main menu item by a single access of the two-dimensional navigation key without performing the intermediary step (i.e., returning to the main menu). However, the presently claimed invention allows the user to toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key without first returning to the main menu.

Within the Response to Arguments section of the Office Action, Applicants’ attention is directed to paragraph 24 of Jeoung, and it is stated that the Applicants “have not yet mentioned throughout the arguments.” Applicants now address paragraph 24 of Jeoung.

Paragraph 24 of Jeoung simply teaches that a list of keys (i.e., UP key, DOWN key, LEFT key, RIGHT key, UP_LONG key (pressing of UP key prolonged), DOWN_LONG key, LEFT_LONG key, and RIGHT_LONG key) is displayed to allow the user to select one of the keys to correspond to a selected sub-menu item. Nowhere in paragraph 24 or elsewhere in Jeoung does Jeoung teach that the user is able to toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key without first returning to the main menu.

It is further stated within the Response to Arguments section that:

Thus, it is clear that the user can switch between different menus items in the case where the pressing the UP key is defined for a desired sub-menu associated with a first main menu, and the pressing of the UP_LONG key is assigned to a different sub-menu item associated with a different main menu.

The user may arbitrarily define hot keys to display desired menus or initiate particular functions by a single key-stroke (paragraph 26). one skilled in the art would find it obvious that the single stroke of the UP key would allow the user to view a sub-menu associated with a first main menu, and the pressing of the UP_long key may be assigned or defined for a different sub-menu associated with a different main menu item, which would allow the user to view another sub-menu item associated with another main menu item directly by pressing only the UP_key (i.e., single key selection). Such disclosure, from Jeoung, and analysis clearly read on the limitation. [Office Action, pages 3-4]

Applicants respectfully disagree with this analysis. The Examiner fails to consider that Jeoung teaches that in order for the hot keys or single key-stroke to work, the phone must be in idle state. In other words, the phone must not have activated a function yet in order for a hot key to work. Jeoung emphasis that the phone must be in idle state for a hot key to work. For example, Jeoung teaches that if the user presses, for example, the UP key during the idle state, the mobile phone immediately executes the calendar function, and if the user presses the DOWN key during the idle state, the mobile phone immediately displays all the menu items linked thereto. [Jeoung, paragraph 0026] Although Applicants agree with the Examiner that Jeoung teaches that a single hot key may be assigned to more than one function and, as such, when the hot key is pressed, a customized menu appears, Applicants respectfully submit that in order for any hot key to work, the mobile phone must be in idle state. The user cannot press the DOWN key to view the menu items linked thereto when the mobile phone is currently executing the calendar function. **As such, once a first hot key is pressed/activated, a second hot key cannot be pressed therefrom. Since the user is required to come back to the idle state before pressing the**

second hot key, the user cannot view submenu items of a main menu directly from another main menu. In other words, the user in Jeoung cannot directly toggle from one submenu to another submenu.

However, in order to further prosecution, Applicants have amended the claim to recite that *during a menu selection mode, a plurality of main menu items of a main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key.* Applicants respectfully submit that Jeoung does not teach this limitation. Further, Applicants respectfully submit that Jeoung does not teach that *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to select and perform an action corresponding to one of the plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points.*

Claims 1-15, 17 and 23-40

Claims 1-15, 17 and 23-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamadera in view of Landers and Jeoung. Applicants respectfully traverse these rejections.

Unlike Yamadera, Landers, Jeoung and their combination, the display of the present invention is configured to selectively display one of a plurality of menus, including a main menu and a sub-menu. During a menu selection mode, the two-dimensional navigation key is configured (1) to select and perform an action corresponding to one of a plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points, and (2) to allow the user to view the plurality of sub-menu items associated with the selected main menu item and, with a single access, to view a plurality of sub-menu items associated with another main menu item using the first orientation. In other words, the user is able to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key. As discussed above, neither Yamadera, Landers, Jeoung nor their combination teach *during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times,*

regardless of which main menu item is selected, while the two-dimensional navigation key is configured to select and perform an action corresponding to one of the plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points. Further, as discussed above, neither Yamadera, Landers, Jeoung nor their combination teach during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is selected, while the two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key.

Since the cited prior art neither teaches nor renders obvious all of the elements of independent Claim 1, Applicants respectfully submit that independent Claim 1 is patentable over the prior art. Applicants respectfully submit that the same arguments made above with respect to the patentability of independent Claim 1 are applicable to the patentability of independent Claims 23, 27 and 32 as well. For at least these reasons, independent Claims 1, 23, 27 and 32 are each an allowable base claim.

Claims 2-15 and 17 are dependent upon independent Claim 1. Claims 24-26 are dependent upon independent Claim 23. Claims 28-31 are dependent upon independent Claim 27. Claims 33-40 are dependent upon independent Claim 32. As discussed above, independent Claims 1, 13, 27 and 32 are each an allowable base claim. Accordingly, Claims 2-15, 17, 24-26, 28-31 and 33-40 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Within the Office Action, Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamadera, Landers and Jeoung, further in view of U.S. Patent No. 6,463,304 to Smethers (hereinafter “Smethers”). Applicants respectfully traverse these rejections.

Claim 16 is dependent on independent Claim 1. As discussed above, independent Claim 1 is an allowable base claim. Accordingly, Claim 16 is allowable as being dependent upon an allowable base claim, and is now in condition for allowance.

Conclusion

For the reasons given above, Applicants respectfully submit that the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned

PATENT
Attorney Docket No.: FLEX-00300

at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: October 22, 2010 _____ By: /Thomas B. Haverstock/ _____

Thomas B. Haverstock
Reg. No.: 32,571
Attorney for Applicants